

EDMONDS CITY COUNCIL APPROVED MINUTES

February 16, 2016

The Edmonds City Council meeting was called to order at 7:00 p.m. by Mayor Earling in the Council Chambers, 250 5th Avenue North, Edmonds. The meeting was opened with the flag salute.

ELECTED OFFICIALS PRESENT

Dave Earling, Mayor
Kristiana Johnson, Council President
Michael Nelson, Councilmember
Adrienne Fraley-Monillas, Councilmember
Diane Buckshnis, Councilmember
Thomas Mesaros, Councilmember
Dave Teitzel, Councilmember
Neil Tibbott, Councilmember

STAFF PRESENT

J. Kwang Police Officer
Phil Williams, Public Works Director
Patrick Doherty, Econ. Dev & Comm. Serv. Dir.
Shane Hope, Development Services Director
Scott James, Finance Director
Rob English, City Engineer
Beth Ford, City Attorney's Office
Scott Passey, City Clerk
Jerrie Bevington, Camera Operator
Jeannie Dines, Recorder

1. ROLL CALL

City Clerk Scott Passey called the roll. All elected officials were present.

2. APPROVAL OF AGENDA

COUNCILMEMBER TEITZEL MOVED, SECONDED BY COUNCILMEMBER BUCKSHNIS, TO APPROVE THE AGENDA IN CONTENT AND ORDER.

Council President Johnson requested the addition of an agenda item.

COUNCILMEMBER TEITZEL WITHDREW HIS MOTION WITH THE AGREEMENT OF COUNCILMEMBER BUCKSHNIS.

COUNCIL PRESIDENT JOHNSON MOVED, SECONDED BY COUNCILMEMBER TIBBOTT, TO ADD A DISCUSSION ITEM, IDENTIFICATION OF POLICY ISSUES OF INTEREST TO COUNCILMEMBERS FOR USE IN DRAFTING FUTURE AGENDAS AND RETREAT AGENDA, BETWEEN ITEMS 6 AND 7.

Council President Johnson explained the purpose was to identify a list that would assist her with scheduling future meetings with a light agenda as well as developing the retreat agenda.

MOTION CARRIED UNANIMOUSLY.

COUNCIL PRESIDENT JOHNSON MOVED, SECONDED BY COUNCILMEMBER FRALEY-MONILLAS TO APPROVE THE AGENDA IN CONTENT AND ORDER AS AMENDED. MOTION CARRIED UNANIMOUSLY.

3. APPROVAL OF CONSENT AGENDA ITEMS

Councilmember Teitzel requested Item D be removed from the Consent Agenda.

Councilmember Mesaros commented although he did not attend the February 9 Council meeting, he would vote on minutes as he had listened to it online.

COUNCILMEMBER FRALEY-MONILLAS MOVED, SECONDED BY COUNCILMEMBER BUCKSHNIS, TO APPROVE THE CONSENT AGENDA AS AMENDED. MOTION CARRIED UNANIMOUSLY. The agenda items approved are as follows:

- A. APPROVAL OF DRAFT CITY COUNCIL MEETING MINUTES OF FEBRUARY 9, 2016**
- B. APPROVAL OF CLAIM CHECKS #218510 THROUGH #218610 DATED FEBRUARY 11, 2016 FOR \$152,233.25**
- C. ACKNOWLEDGE RECEIPT OF CLAIMS FOR DAMAGES FROM ERIN EDDINS (\$3,196.92), AND BJ BROWN (\$4,000.00)**
- E. AUTHORIZATION TO AWARD A CONSTRUCTION CONTRACT FOR THE SW EDMONDS - 105TH/106TH AVE W STORM IMPROVEMENTS PROJECT TO RODARTE CONSTRUCTION**
- F. AUTHORIZATION FOR MAYOR TO SIGN A PROFESSIONAL SERVICES AGREEMENT WITH THE BLUELINE GROUP FOR CAPITAL PROJECTS CONSTRUCTION MANAGEMENT, ENGINEERING & INSPECTION SERVICES**
- G. ORDINANCE AMENDING TYPE OF EXPERIENCE SOUGHT FOR MEMBERS OF THE CITIZENS ECONOMIC DEVELOPMENT COMMISSION**

ITEM D: PROPOSED AMENDMENT NO 1 SNOHOMISH PUBLIC DEFENSE ASSOCIATION

Councilmember Teitzel commented the agreement includes a compensation escalator of 4% for 2017 and 2018. In reviewing Bureau of Labor Statistics data, inflation as measured by the change in CPI has been about 2% since 2012. He questioned why the Council would agree to a contract with escalator clause twice the rate of inflation. He recognized this was an issue that Parks & Recreation/Human Resources Reporting Director Carrie Hite could address but she was not present. Mayor Earling advised Ms. Hite is on vacation; this item could be delayed until next week.

Councilmember Fraley-Monillas recalled when the contract was negotiated with the new defense attorney, the pay for the former firm was so low the difference was addressed via an escalator in future years. Councilmember Mesaros concurred, recalling the 4% escalator was an opportunity to catch up over a period of years so it was equitable with other municipalities. Councilmember Teitzel advised he was comfortable with that explanation.

COUNCILMEMBER TEITZEL MOVED, SECONDED BY COUNCILMEMBER FRALEY-MONILLAS, TO APPROVE ITEM D. MOTION CARRIED UNANIMOUSLY.

4. AUDIENCE COMMENTS

Dan Wilson, Edmonds, representing several residents on Sierra Drive who had had rain gardens installed, thanked the City and the WSU Master Gardeners for promoting this program. The City was very positive, supportive and involved and everyone was very professional and pleasant. The entire process was well thought out and they were very impressed with the product as well as the quality of the people involved. One of the Master Gardeners estimated their five properties will divert approximately 150,000 gallons from the stormwater system and Puget Sound. He advised several residents were unable

to attend but had written letters expressing their gratitude for the project. He invited Councilmembers to visit the rain gardens.

Council President Johnson relayed her understanding the rain gardens will be in the Edmonds Garden Tour this year which will give the public an opportunity to see what a rain garden looks like. Mr. Wilson agreed, noting noted many get the impression that rain gardens not particularly attractive but that is not the case, they are actually stunning in their own right. Public Works Director Phil Williams recognized staff who assisted with the project including Mike Cawrse, Tod Moles, Chuck Hiatt and Mike Johnson. A great deal of staff effort was devoted to these first rain gardens to get the idea establish; that may not be a sustainable model if there are hundreds of rain gardens in the future.

5. PRESENTATIONS/REPORTS

A. PRESENTATION OF AWARD TO THE FINANCE DEPARTMENT FOR CONSOLIDATED ANNUAL FINANCIAL REPORT (CAFR)

Mayor Earling advised a couple weeks ago he received a letter notifying him the City was recognized with an Achievement of Excellence in Financial Planning from the Government Finance Officers Association in recognition of the City's CAFR. He thanked staff for the outstanding work they do, commenting it was important to the Finance Department and the City to receive this type of award. He presented the award to Finance Director Scott James.

Mr. James commented it is exciting for the Finance Department to receive this award, a report card of their performance. This is the second consecutive year the City has received. He recognized his staff for their efforts, particularly Deb Sharp and Sarah Mager.

6. PUBLIC HEARING

A. PUBLIC HEARING ON PROPOSED AMENDMENT TO ECDC 20.03.002 REGARDING NUMBER OF DAYS FOR PUBLIC NOTICE

Development Services Director Shane Hope advised this is an amendment to ECDC Chapter 2.03.002 changing the required period before an open record predecision hearings from 14 to 15 days. State law requires 15 days and the City's code states 14 days. The City has been honoring State law as it overrides City code but the City's code should be consistent with State law. The Planning Board held a public hearing and recommended Council adoption.

Mayor Earling opened the public participation portion of the public hearing. There was no public comment and Mayor Earling closed the public hearing.

COUNCILMEMBER FRALEY-MONILLAS MOVED, SECONDED BY COUNCILMEMBER BUCKSHNIS, TO SCHEDULE APPROVAL OF ORDINANCE 4021, CHANGING THE REQUIRED PERIOD FOR PUBLIC NOTICE PRIOR TO AN OPEN RECORD PREDECISION HEARING FROM AT LEAST FOURTEEN DAYS TO AT LEAST FIFTEEN DAYS, AND AMENDING ECDC 20.03.002 TO MAKE IT CONSISTENT WITH STATE LAW, ON NEXT WEEK'S CONSENT AGENDA. MOTION CARRIED UNANIMOUSLY.

6A. IDENTIFICATION OF POLICY ISSUES OF INTEREST TO COUNCILMEMBERS FOR USE IN DRAFTING FUTURE AGENDAS AND RETREAT AGENDA

Council President Johnson commented due to tonight's short agenda, she felt it would be useful to have a round-robin identification of issues Councilmembers would like to have considered in the future. The list

would be used to schedule future short agendas as well as help identify issues for the coming year and possibly add some to the retreat agenda. Councilmembers identified the following issues:

- Long Range Financial Plan (Council President Johnson)
 - Councilmember Buckshnis commented a group comprised of two Councilmembers and three citizens will be meeting to establish a framework. Once the framework is established, more citizens and possibly another Councilmember will be added to the group.
- Homelessness (Councilmembers Fraley-Monillas)
 - Have heard a lot about it recently in the county and state and see it firsthand in Seattle
 - Mayor Earling attended a homelessness symposium
- Homelessness and Affordable Housing (Councilmember Mesaros)
 - Affordable housing is one of the solutions to homelessness
- Homelessness (Councilmember Nelson)
- Traffic Safety (Councilmember Nelson)
- Sea Level Rise (Councilmember Nelson)
- Crumb Rubber (Councilmember Teitzel)
 - 16 months remain until crumb rubber ban expires
 - Support Council discussing how to obtain independent set of facts that will assist with what action to take when ban expires
 - Potentially engage an independent party such as with a state college to look at data, peer review of data or conduct an independent study
 - Issue affects athletes at all levels
 - Possibly discuss at retreat
- Reassess and determine purpose of study session (Councilmember Buckshnis)
 - Concern if all meetings are regular meetings, return to committees
- Consider ways to make walkway system safer and provide better connections (Councilmember Tibbott)
- Discuss Councilmembers' vision for development on Highway 99 (Councilmember Fraley-Monillas)
 - Mayor Earling suggested Councilmembers attend the Highway 99 workshop to hear feedback from the local community.
- Potential Esperance annexation (Councilmember Mesaros)
- ADA accessibility on sidewalks trails, etc. (Councilmember Fraley-Monillas)
- Five Corners redevelopment (Council President Johnson)
- Modify public comment process (Councilmember Teitzel)
 - Many citizens are not comfortable making comment at podium
 - Consider accepting emails submissions to be read into record
- Establish a more formal process/structure for review of board and commissions (Councilmember Mesaros)
- Opportunities for Council training (Councilmember Fraley-Monillas)
- Consider requesting staff provide code changes in a redline format as well as a final form (Councilmember Teitzel)
- Process to monitor Strategic Action Plan (Councilmembers Mesaros and Teitzel)
- Process at Council meeting or retreat to identify priorities (Councilmember Fraley-Monillas)
- Process to monitor progress on priorities, what has been done and what still needs to be done (Councilmember Nelson)

7. MAYOR'S COMMENTS

Mayor Earling thanked the Councilmembers who were able to attend the State of City. He enjoys the annual opportunity to summarize the path that was chartered during the past year as well as preview what the City will be working on in 2016.

Mayor Earling reported he met with Senator Patty Murray as part an effort make federal legislators aware of the work being done on the At-Grade Crossing Alternative Analysis. With a positive result on that effort this fall, he anticipated establishing critical relationships in Washington DC and locally.

Mayor Earling reported on delays he experienced during his flights to and from Arizona this past weekend.

Mayor Earling reminded of the Snohomish County Cities meeting this Thursday in Mukilteo. At least two Councilmembers are planning to attend and he encouraged others to attend if possible.

8. COUNCIL COMMENTS

Councilmember Nelson reported three federal agencies, the Environmental Protection Agency, the Centers for Disease Control and the Consumer Product Safety Commission, are launching a multiagency action plan to look into crumb rubber. They will be filling important knowledge and data gaps, looking into the constituents of recycled tire rubber, and identifying ways people are exposed to tire rubber. They plan to issue a preliminary report at the end of year which may help the City with its analysis.

Councilmember Mesaros reported fundraising for the Veterans Plaza is going well; \$319,000 of the \$450,000 goal has been raised. The committee is meeting again tomorrow morning. He will be absent again next week; he and his wife try to spent February in Arizona. He attended the first and third Council meetings which are business meetings and watches the second and fourth online. He recognized Beth Ford, Lighthouse Law Group, who filling in for Mr. Taraday.

Councilmember Tibbott reported his family visited West Port over the holiday weekend. While there he saw firsthand the effects of sea level rise in communities along coastline where the shoreline is being washed away and the financial impact it has on development. For example, property values of condo complexes are decreasing due to seawater coming into the complex. For municipalities there is an insurance liability effect from flooding like that experienced by Aberdeen and Hoquiam. He suggested others take the opportunity to see how sea level rise is affecting communities in the Northwest.

Council President Johnson thanked the Council for the lively discussion of issues, commenting although there was nothing new, it reaffirms what the Council was interested in and the hot topics. She reminded that staff would like Councilmember's comments on the Critical Areas Ordinance this week as they are putting together the agenda.

9. CONVENE IN EXECUTIVE SESSION REGARDING PENDING OR POTENTIAL LITIGATION PER RCW 42.30.110(1)(i)

This item was not needed.

10. RECONVENE IN OPEN SESSION. POTENTIAL ACTION AS A RESULT OF MEETING IN EXECUTIVE SESSION

This item was not needed.

11. **ADJOURN**

With no further business, the Council meeting was adjourned at 7:36 p.m.